

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

JOHNNY WRIGHT,)	
)	
Petitioner,)	
)	
v.)	NO. 2:04-0053
)	JUDGE HAYNES
)	
JACK MORGAN, Warden,)	
)	
Respondent.)	

ORDER

In accordance with the Memorandum filed herewith, the Respondent's motion to dismiss (Docket Entry No. 22) is **GRANTED** and the petition for the writ of habeas corpus is **DENIED**. This action is **DISMISSED with prejudice**.

The Petitioner has ten (10) days from the date of entry of this Order to file an application for a Certificate of Appealability listing any issues for which an appeal of the Order is sought pursuant to 28 U.S.C. § 2253(c).

This is the Final Order in this action.

It is so **ORDERED**.

ENTERED this the _____ day of September, 2007.

WILLIAM J. HAYNES, JR.
United States District Judge